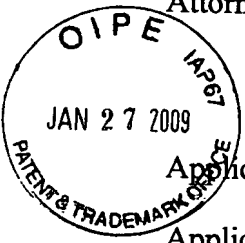


Application No. 10/559,097  
Paper dated January 23, 2009  
Subsequent to Reply to Office Action of October 24, 2008  
Attorney Docket No. 4559-053584

1638  
JW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/559,097  
Applicants : SANZ MOLINERO, Ana Isabel et al.  
Filed : September 19, 2006  
Title : Transgenic Monocotyledonous Plants Overexpressing a NHX Protein and Having Improved Growth Characteristics and Methods for Making the Same  
Art Unit : 1638  
Examiner : Vinod Kumar  
Confirmation No. : 1132  
Customer No. : 76809

MAIL STOP Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO SUSPEND ACTION**

Sir:

A response to the Office Action of October 24, 2008 has been filed today. Inasmuch as there is now no outstanding Office Action in the above-identified patent application and the below shows good and sufficient cause therefor, Applicant herewith Petitions for Suspension of Action for six months, in the examination of the above-identified patent application.

01/27/2009 WASFAW1 00000048 10559097

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 23, 2009.

Barbara E. Johnson

(Name of Person Mailing Paper)

Signature

January 23, 2009

Date

Application No. 10/559,097  
Paper dated January 23, 2009  
Subsequent to Reply to Office Action of October 24, 2008  
Attorney Docket No. 4559-053584

The necessary Petition fee of \$200.00 accompanies this Petition. The Commissioner is hereby authorized to charge any additional fees, or to credit any refunds, to United States Patent and Trademark Office Deposit Account No. 504488, and a duplicate copy of this Petition accompanies the original to that end.

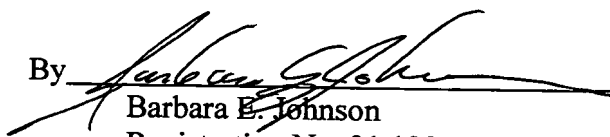
Applicant requires time to pursue the availability of, and to prepare and present same assuming availability, comparative test results to evidence unexpected improvements attributable to the use of certain promoters disclosed and claimed in the present application. The role of comparative data to evidence novelty and nonobviousness was discussed, for example, at the Examiner Interview among the undersigned, Applicant representative Meeta Mistry and Examiner Kumar on August 15, 2008. Because this application is not after Request for Continued Examination, restriction of the requested suspension time to less than six months is not necessary. A six month suspension of action is therefore requested.

Notification that suspension of action has been granted for six months is respectfully requested. Should any question arise during the consideration of this Petition, the undersigned respectfully requests a telephone call to her direct dial number, 412-281-3350.

Respectfully submitted,

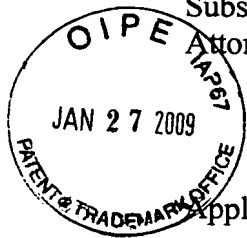
BARBARA E. JOHNSON, ESQ.

By



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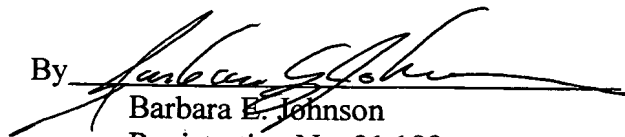
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